

In the United States District Court  
District of South Carolina

Robbive Collins  
Plaintiff

2:24-cv-5767-RMG-MGB

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Complaint

Capt. Williams, Sgt. Whitney Belton  
Sgt. Richard Sweetenbry  
Defendant

2024 OCT 10 PM 9:52

LEGAL MAIL ONLY

I was transferred to LeeCarr Ins on Sept. 28, 2023, I was placed on RHU where Richard Sweetenbury was the Sgt. I never had any words, or confrontation with Sgt. Sweetenbury while on RHU for 10 months in fact anything I needed he made sure I had it while on lock-up. I was released from lock-up on July 2024 and put in dorm Fl. I was then giving a Dorm Worker Job by Lt. Rush and I went before the classification Ms. Grant and my job was entered into the computer. Shortly after the Warden changed Sgt. Sweetenbury post from RHU to Fl and yard duty. Sgt. Sweetenbury began working Fl and everyday he let me out my cell as a dorm worker, we didn't have any problems. Then one morning before Sgt. Sweetenbury opened my door Sgt. Belton came on the Wing to my door and said "I know who you is, you Robbie Collins who be doing those lawsuits and Lt. Rush gave you job she do to much and don't run shit you can't never coming out on my shift, Sweetenbury don't never open his door." Sgt. Sweetenbury left me locked in my room all day. Every time Sgt. Sweetenbury & Sgt. Belton worked they never let me out my room. They let the entire dorm out and leave me locked down for no reason. I ask Sgt. Sweetenbury

Why he ain't letting me to do my Job assignment he said "you know why now write that sh.t up". Multiple Inmates notified Lt. Rush that these officers was picking on me because of my Lawsuits and because Lt. Rush gave me a job. Lt. Rush called Major Spikes to the Unit and along with me and several other inmates explained that these officers wasnickpicking with me about my Lawsuits and because Lt. Rush gave me a job and she didn't want the unprofessionalism from her officers. Major Spikes said he would ~~bed~~ handle it and it was a email from Headquarters to all Shift Supervisors that Sgt. Belton was not allowed in FI because she was having sexual activities with inmates and that Sgt. Sweetenbry was under investigation for throwing gang signs up on camera. Then the next day Sgt. Sweetenbry and Sgt. Belton came to my door saying "You can tell who you want we got something for." Then I received a Disciplinary write-up for threatening to inflict harm on Sgt. Sweetenbry.

When I went to DHO I tried to explain that I didn't do it. Counsel Substitute said that I was still going to be found guilty because it's a officer word against mines. So I asked her if I plea guilty can I keep my visits my mom's is 82 and I really want to see her. She said plea guilty and see what happens, I pled guilty and was able to keep my visit. Then the weekend came and my mother said our visit was at 10AM. At 9:45 I asked Sgt. Sweetenborg could I come out and take a shower my visit was at 10. He said No and you not going. I told him I would write him up he replied stating don't make me follow your mom's home. I immediately began writing a grievance at 11:00 he came and told me my visit was waiting on me. When I got on visit my mom's ask me what took so long? I said how long you been waiting? She said I been here since 10. I then told Capt. Williams that Sgt. Sweetenborg let me out for my visit a hour late.

and that Sgt-Sweetenbury and Sgt-Belton  
was retaliating against me because I do lawsuits  
and Lt-Rush gave me job and they Sgt-Belton &  
Sgt-Sweetenbury fired me for no reason. I explained  
that they don't let me out my room for Rec,  
Mailroom, Sick-Call, or to go to the law library  
for my courtdeadline or a shower. Capt. Williams  
Brushed me off I then went to my Mental  
Health Doctor and explained what I was  
going through and how Sgt-Belton &  
Sweetenbury was retaliating against me and  
how I have Spoken to Capt. Williams and  
Major Spikes and nothing was being done. I  
asked my Mental health doctor to increase  
my geodon to keep me from becoming violent  
I was fed up and didn't want to get in trouble.  
Then Friday Sept. 6, 2024 Sgt-Sweetenbury come in  
and let everybody out their rooms except me, So I  
asked could he atleast call Maintenance to bring the  
Snake my toilet was clogged up, He said no lay  
in it

Then Capt. Williams came on the wing and I called him to my door, I again explained that Sgt. Sweetenbury & Sgt. Belton was retaliating against me because of my lawsuits and because they said they didn't like Lt. Rush and since she gave me a job that I wasn't never coming out on their shift, could he atleast make them call maintenance to fix my toilet. He ~~said~~ said he would see what he could do and left. I was left in the room 3 days unable to use the bathroom Sept-8 Sgt. Belton worked the dorm and I told her I had to defecate for 2 days please get maintenance to fix my toilet. She said no get Lt. Rush to do it and I don't care if you write it up, when they called me for visit I told Sgt. Belton when she opened my door I was going to defecate and take a shower real quick since you had me locked in my room 3 days and couldn't use the bathroom. She said no I'mma cancel your visit. Then Capt. Williams came took me off visit and took me to lock-up. I asked what I did and he never told me. This was at 4pm. Sept-8

Then when I get on lock-up I get charge papers about something that didn't happen at 8AM Sept 8, 2024, Sgt. Belton wrote me up saying I threaten her 8AM that morning when that never happened Ofc. Walters was a witness. I have been consistently be attacked by these officers Because I file lawsuits and a Lieutenant they don't like gave me a job.

Oct. 7, 2024



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LEGAL MAIL ONLY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Robbie Collins

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

Capt. Williams, Sgt. Whitney Belton  
Sgt. Richard Sweetenbury

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

**Complaint for Violation of Civil  
Rights**  
(Prisoner Complaint)

Case No. \_\_\_\_\_

*(to be filled in by the Clerk's Office)*

Jury Trial:  Yes  No  
*(check one)*

2021 OCT 10 PM  
09  
51  
52

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

When submitted for filing, your complaint should be accompanied by the full filing fee or an application to proceed in *forma pauperis*.

## I. The Parties to This Complaint

### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Robbie Collins  
 All other names by which you have been known: Chickenbonez  
 ID Number 290946  
 Current Institution Lee Carr Ins  
 Address 990 W Isacky Hwy  
Bishopville S.C. 29010

### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

#### Defendant No. 1

Name Williams  
 Job or Title (if known) Captain  
 Shield Number \_\_\_\_\_  
 Employer LCI  
 Address 990 W Isacky Hwy  
Bishopville S.C. 29010  
 Individual capacity  Official capacity

#### Defendant No. 2

Name Whitney Belton

Job or Title  
(if known) Sgt

Shield Number

Employer

Address L.CI  
990 Wisacky Hwy  
Bishopville SC 29010

Individual capacity  Official capacity

## Defendant No. 3

Name Richard Sweetenbury

Job or Title  
(if known) Sgt

Shield Number

Employer

Address L.CI  
990 Wisacky Hwy  
Bishopville SC-29010

Individual capacity  Official capacity

## Defendant No. 4

Name

Job or Title

(if known)

Shield Number

Employer

Address

Individual capacity  Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

Federal officials (a *Bivens* claim)  
 State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

1st Amendment Retaliation & 8th Amendment Cruel and Usual Punishment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attached

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### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

Pretrial detainee  
 Civilly committed detainee  
 Immigration detainee

Convicted and sentenced state prisoner  
 Convicted and sentenced federal prisoner  
 Other (*explain*) \_\_\_\_\_

#### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

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B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Lee Carr Ins July - September 2024

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C. What date and approximate time did the events giving rise to your claim(s) occur?

July 2024 - September 2024

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D. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

See Attached

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**V. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

*Violation of my 1st Amendment Right I have been consistently been retaliated against because I use the grievance system and file lawsuits*

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**VI. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

*That I be given 20,000\$ for my Constitutional violation and Injunctive Relief that I be given my job assignment back*

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**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act (“PLRA”), 42 U.S.C. § 1997e(a), requires that “[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.”

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

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B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

*Al*

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D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

- Yes
- No

E. If you did file a grievance:

1. Where did you file the grievance?

Lee Corr Ins I filed an emergency grievance pursuant to SCDC grievance policy Section 14 I wrote the Warden of Security he refused to respond to my complaint

2. What did you claim in your grievance?

That I was being retaliated against  
Because of my lawsuits

3. What was the result, if any?

They didn't process it according to policy,  
and Warden of Security refuse to respond  
to my request denying me the ability to  
file a step 1 so I had to file an emergency

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

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2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

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G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Staff fails to respond to my attempt for informal resolution so I can't file no more grievances

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

Yes  
 No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court (*if federal court, name the district; if state court, name the county and State*)

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3. Docket or index number

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4. Name of Judge assigned to your case

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5. Approximate date of filing lawsuit

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6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

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C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Yes  
 No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Robbie Collins

Defendant(s) John Palmer

2. Court (if federal court, name the district; if state court, name the county and State)

Federal U.S. District Court

3. Docket or index number

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4. Name of Judge assigned to your case

RMG & MGB

5. Approximate date of filing lawsuit

2023

6. Is the case still pending?

Yes  
 No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)  
 \_\_\_\_\_  
 \_\_\_\_\_

## IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: \_\_\_\_\_, 20\_\_\_\_.

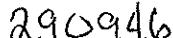
Signature of Plaintiff



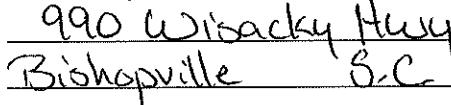
Printed Name of Plaintiff



Prison Identification #

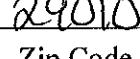


Prison Address



City

State

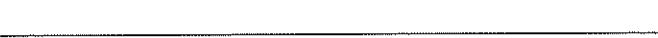


Zip Code

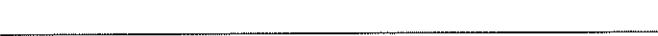
### B. For Attorneys

Date of signing: \_\_\_\_\_, 20\_\_\_\_.

Signature of Attorney



Printed Name of Attorney



Bar Number



Name of Law Firm



Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_